

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
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)
)
v.) **CR. NO. 2:07-cr-297-CSC**
)
)
)
NETTE R. GARRISON)

MOTION FOR LEAVE TO FILE OUT OF TIME

GOVERNMENT PROPOSED JURY INSTRUCTIONS

COMES NOW the United States of America by and through its Attorney for the Middle District of Alabama and moves the Court for leave to file one business day out of time Government's proposed jury instructions.

I believe the proposed jury instructions were due yesterday, 3 March 2008, but due to an oversight, it was not filed on that date. The Government's proposed jury instruction contains the elements of the offense. The Government does not believe that any prejudice will result from this brief delay. Government Counsel apologizes for any inconvenience this delay may have caused the Court and defense counsel.

Respectfully submitted this the 4th day of March, 2008

Respectfully submitted,

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

s/Christopher D. James
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CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of March, 2008, I presented the foregoing with the Clerk of the Court by hand-delivery.

s/Christopher D. James
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ORDER

Upon consideration of the Motion for Leave to File out of Time Jury Instructions heretofore filed in the above styled cause, and for good cause shown, the Court is of the opinion that the motion should be and the same hereby granted. It is, therefore, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that said motion be and the same is hereby granted.

Done this ____ day of March, 2008.

UNITED STATES MAGISTRATE JUDGE